

1-1 By: Taylor S.B. No. 1040
 1-2 (In the Senate - Filed March 4, 2013; March 12, 2013, read
 1-3 first time and referred to Committee on Business and Commerce;
 1-4 May 1, 2013, reported adversely, with favorable Committee
 1-5 Substitute by the following vote: Yeas 6, Nays 0; May 1, 2013,
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10			X	
1-11			X	
1-12	X			
1-13			X	
1-14	X			
1-15	X			
1-16	X			
1-17	X			

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 1040 By: Taylor

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to automated dial announcing devices.
 1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
 1-23 SECTION 1. Section 55.121, Utilities Code, is amended to
 1-24 read as follows:
 1-25 Sec. 55.121. DEFINITIONS [DEFINITION]. In this subchapter:
 1-26 (1) "Automated [~~,"~~ "automated] dial announcing device"
 1-27 means automated equipment used for telephone solicitation or
 1-28 collection that can:
 1-29 (A) [~~(1)~~] store telephone numbers to be called or
 1-30 produce numbers to be called through use of a random or sequential
 1-31 number generator; and
 1-32 (B) [~~(2)~~] convey, alone or in conjunction with
 1-33 other equipment, a prerecorded or synthesized voice message to the
 1-34 number called without the use of a live operator.
 1-35 (2) "Telephone solicitation" means an unsolicited
 1-36 call.
 1-37 SECTION 2. Section 55.122, Utilities Code, is amended to
 1-38 read as follows:
 1-39 Sec. 55.122. EXEMPTIONS. This subchapter does not apply to
 1-40 the use of an automated dial announcing device:
 1-41 (1) to make a call relating to an emergency or a public
 1-42 service under a program developed or approved by the emergency
 1-43 management coordinator of the county in which the call is received;
 1-44 [~~or~~]
 1-45 (2) by a public or private primary or secondary school
 1-46 system to locate or account for a truant student;
 1-47 (3) by a municipality or a person calling on behalf of
 1-48 a municipality to deliver information to citizens of the
 1-49 municipality regarding a public health, safety, or welfare issue;
 1-50 or
 1-51 (4) by an organization to a member of the
 1-52 organization.
 1-53 SECTION 3. Subchapter F, Chapter 55, Utilities Code, is
 1-54 amended by adding Section 55.1225 to read as follows:
 1-55 Sec. 55.1225. APPLICABILITY. This subchapter applies to an
 1-56 automated dial announcing device used to make a telephone call that
 1-57 originates or terminates in this state.
 1-58 SECTION 4. This Act takes effect September 1, 2013.

1-59 * * * * *